## REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
MAIL STOP RCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

(Revised 04/2005)

Application Number 10/749,762	
Filing Date 12/31/2003	
First Named Inventor: Keith A. Etling	
Art Unit: 3676	
Examiner Name: Alison K. Pickard	
Confirmation No.: 9125	
Attorney Docket No. 038190/269125	

This is a request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to Jume 8, 1995, or to any design application.

1.	<u>Submission required under 37 C.F.R. § 1.114</u> Note: if the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).					
	a.   Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.					
	i. $\square$ Consider the arguments in the Appeal Brief or Reply Brief previously filed on					
	ii. 🗌 Other					
	b. 🛚 Enclosed					
	i. 🛛 Amendment/Reply					
	ii. Affidavits(s)/Declarations(s)					
	iii.   Information Disclosure Statement (IDS); of cites listed on PTO Form 1449					
	iv.   Other					
2.	Miscellaneous					
	<ul> <li>a. Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of months. (Period of suspension shall not exceed 3 months;</li> </ul>					
	Fee under 37 C.F.R. § 1.17(g) required) b.  Other					

In re:	Keith A.	Etling	
Appl. 1	No.: 10/7	49,762	
Filed:	12/31/20	03	
Page 2			

3.	Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when
	the RCE is filed.

The Director is hereby authorized to charge any fee deficiencies, or credit any overpayments to Deposit Account No. 16-0605.
 i ⋈ RCE fee required under 37 C.F.R. § 1.17(c)

(\$810.00 large entity; \$405.00 small entity)

ii. Extension of Time Fee (37 C.F. R. §§ 1.136 and 1.17)

iii. Other

Respectfully submitted,

/Guy R. Gosnell/

Guy R. Gosnell Registration No. 34,610

Customer No. 000067141 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Charlotte Office (704) 444-1010 Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON February 17, 2010.

LEGAL02/31767333v1